

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AVERILL BARKHOUSE and
JODY BARKHOUSE,

Plaintiffs,

v.

Civil Action No. 05-11660 NG

DELTA AIR LINES, INC. and
GLOBEGROUND NORTH
AMERICA LLC,

Defendants.

JOINT STATEMENT WITH PROPOSED PRE-TRIAL SCHEDULE

Pursuant to L.R. 16.1 (D) the plaintiffs Averill and Jody Barkhouse (collectively “Barkhouse”), together with the defendants Delta Air Lines, Inc. (“Delta”) and GlobeGround North America, LLC (“GlobeGround”), hereby submit the following proposed pre-trial schedule. By way of background, this case arises out of Barkhouse’s round-trip air travel from Halifax, Nova Scotia to Atlanta, Georgia, stopping over in Boston, in April and May 2003.

Barkhouse is a Canadian citizen who, in addition to being a quadriplegic at the time, traveled on Delta’s air carrier which had contracted with GlobeGround for Skycap Services. On his return flight, Barkhouse claims he broke his hip when Delta or GlobeGround personnel, or both, “dropped” him during his transfer from a seat to his wheelchair in Boston. He further claims to have incurred significant disabling injuries as a result of that incident.

The parties respectfully submit the following proposed discovery schedule:

- (a) On or before July 1, 2005, the parties will propound their respective written discovery, including interrogatories and document requests;
- (b) On or before October 1, 2006, the parties will complete the depositions of all lay witnesses, including those in Halifax and Boston;
- (c) On or before November 1, 2006, Barkhouse will designate his expert witnesses. In all likelihood, however, he will have designated and deposed (on videotape) his medical expert while in Halifax, when the parties depose the percipient witnesses. In that case, Delta and GlobeGround will be afforded the opportunity to conduct a discovery deposition of Barkhouse's expert before the videotaped deposition;
- (d) On or before December 1, 2006, Delta and GlobeGround will make their counter designations of expert witnesses;
- (e) On or before January 1, 2007 the parties will complete all expert depositions;
- (f) On or before February 1, 2007 the parties will appear before the Court in a Pre-Trial Conference; and
- (g) On or before March 1, 2007 the case shall be scheduled for trial.

**CERTIFICATION OF BUDGET AND/OR
ALTERNATIVE DISPUTE RESOLUTION**

The parties agrees to consider alternative dispute resolution programs as outlined in L.R. 16.4 after the initial stages of discovery are completed, including written discovery and depositions. Additionally, the parties have conferred in accordance with L.R. 16.1.

Respectfully submitted,
Averill Barkhouse, et al
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Respectfully submitted,
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